

DG
F. #2019R01319

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA

STIPULATION AND ORDER

- against -

Cr. No. 21-367 (MKB)

PUSHPESH KUMAR BAID,
also known as "PK Jain,"

Defendant.

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WHEREAS, the discovery materials to be provided by the government in the above-captioned case (hereinafter, the "Discovery Materials") contain personal financial information and personally identifiable information regarding various specific individuals, including information relating to the bank accounts, addresses, social security numbers and dates of birth of those individuals, and financial information for specific corporations, including information related to bank accounts (collectively hereinafter "PII"),

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned that:

1. The Discovery Materials can be used by the defendant and his defense counsel in this matter only for purposes of trial preparation, defense at trial against the charges set forth in the above-captioned indictment, and any related appellate matters arising from the above-referenced trial.

2. Any and all Discovery Materials produced to the defendant by the government and any copies, notes, transcripts, documents or other information derived or

prepared from the discovery material shall not be further disseminated by the defendant or defense counsel to any individuals, organizations or other entities, other than members of the legal staff of defense counsel or retained consultants or expert witnesses who have signed this Stipulation and Order, without further order of the Court;

3. Each of the individuals to whom disclosure is authorized in paragraph 2, that is, members of the legal staff of defense counsel who have signed this Stipulation and Order, shall be provided a copy of this Stipulation and Order and will be advised that he or she shall not further disseminate any portion of the Discovery Materials or any copies, notes, transcripts, documents or other information derived or prepared from the Discovery Material except in conformity with this Stipulation and Order;

4. The defendant may possess a copy of the Discovery Materials except for those documents that contain PII. For Discovery Materials that contain PII, the defendant may not possess a copy unless the PII has been redacted from those documents. However, the defendant may review unredacted Discovery Materials in the presence of his attorney.

5. Absent further order of the Court, the defendant and his defense counsel may not use PII, whether directly or indirectly, for any purpose.

6. In the event that the defendant seeks to file Discovery Materials with the Court or otherwise use Discovery Material during a court proceeding, the defendant and his counsel will comply with Rule 49.1(a) of the Federal Rules of Criminal Procedure, will ensure that court transcripts are appropriately redacted to protect PII and financial information, and will seek permission from the Court to offer the redacted versions of Discovery Material into evidence unless it is necessary to offer the unredacted version.

7. The defendant and his defense counsel will return to the government all copies of the Discovery Materials provided by the government through discovery in this case at the conclusion of this matter, specifically either within seven days of (a) a verdict of acquittal rendered by a jury, (b) the date of sentencing if no appeal is filed or (c) the issuance of an appellate decision rendering a final judgment.

8. Any violation of this Stipulation and Order (a) will require the immediate return to the government of the Discovery Materials, and (b) may result in contempt of Court.

Dated: Brooklyn, New York
August __, 2021

JACQUELYN M. KASULIS
Acting United States Attorney
Eastern District of New York

By: _____
David Gopstein
Assistant U.S. Attorney

Agreed to by:



PUSHPESH KUMAR BAID
Defendant

Elizabeth Macedonio, Esq.
Attorney for Defendant PUSHPESH
KUMAR BAID

SO ORDERED:

THE HONORABLE MARGO K. BRODIE
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF NEW YORK

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Dated: Brooklyn, New York
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JACQUELYN M. KASULIS
Acting United States Attorney
Eastern District of New York

By: David Gopstein
David Gopstein
Assistant U.S. Attorney

Agreed to by:

PUSHPESH KUMAR BAID
Defendant

Elizabeth Macedonio, Esq.
Attorney for Defendant PUSHPESH
KUMAR BAID

SO ORDERED:

THE HONORABLE MARGO K. BRODIE
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF NEW YORK